

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

**GARDEN CITY BOXING CLUB,
INC.**

Plaintiff,

v.

1:06-cv-2069-WSD

KYONG KIM d/b/a El Dorado

Defendant.

OPINION AND ORDER

The Court entered an Order to Show Cause on January 16, 2007, directing the Plaintiff to show cause why this action should not be dismissed for failure to effectuate service. (“the Order”) [3] On January 17, 2007, Plaintiff filed a short response to the Order requesting an additional 120 days to locate the Defendant. In a teleconference with the Court held on January 24, 2007, Plaintiff’s counsel, Douglas Brooks, acknowledged that Plaintiff had been unable to locate the Defendant in the time since the complaint was filed on August 30, 2006. The Court advised counsel in the teleconference that this was not a sufficient cause for an extension.

Accordingly,

IT IS HEREBY ORDERED that the Plaintiff's request for an additional 120 days to locate and serve the complaint on the Defendant is **DENIED**.

IT IS FURTHER ORDERED that this case is **DISMISSED WITHOUT PREJUDICE**.

SO ORDERED this 26th day of January, 2007.



WILLIAM S. DUFFEY, JR.
UNITED STATES DISTRICT JUDGE